

### **REMARKS/ARGUMENTS**

This Reply is filed in response to the Office Action dated May 12, 2010. In the Office Action, Claims 46, 49-51, 53, 54, 60, 63-66, 68-70, 72, 75-77, and 79-81 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.K. Patent Application GB 2331602A to Boucher et al. ("*Boucher*"). Claims 47, 52, 55-59, 61, 67, 71, 73, 78, 82, and 83 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Boucher* in view of U.S. Patent 5,661,653 to Kulik ("*Kulik*"). Claims 48, 62, and 74 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Boucher* in view of *Kulik* in further view of U.S. Patent 6,286,009 to Mattioli, Jr. et al. ("*Mattioli*"). The listed rejections are addressed below.

#### **Independent Claim 46**

As mentioned, independent Claim 46 has been rejected as being anticipated by *Boucher*. Applicants respectfully submit that *Boucher* fails to teach or suggest each and every feature of Claim 46. For instance, Claim 46 recites a rate sheet analyzer module adapted to interface with a template storage module storing a plurality of templates, wherein one of the templates is associated with a specific freight carrier and is structured according to one of a plurality of formats to interpret a rate sheet. Furthermore, Claim 46 recites that the rate sheet analyzer module selects the template by matching the freight carrier associated with a particular rate sheet with the specific freight carrier associated with the template.

*Boucher* describes a carrier management system that includes a plurality of carrier rate modules wherein each carrier rate module includes instructions for calculating a carrier rate for a particular carrier and instructions for self-registering the module in the registry of the system. The system further includes a librarian that is executed by a shipping program to read the registry of the system and to build a linked list of the available carrier rate modules based on the registered modules found in the registry. *See* Page 5, lines 21-27. Therefore, when an individual using the shipping program selects a particular carrier to ship a package, the shipping program sends a token identifying the carrier to the librarian. *See* Page 20, lines 1-17. In response, the librarian uses the token and queries the linked list to identify the corresponding carrier rate module for the selected carrier. *Id.* The librarian then provides a pointer to a function that the

shipping program may call to execute the carrier rate module for the selected carrier. *Id.* As a result, the shipping program module calls the function in order to calculate a carrier rate for shipping the package with the particular carrier.

On Page 3, the Office Action indicates that the librarian described in *Boucher* discloses the rate sheet analyzer module and that the plurality of carrier rate modules described in *Boucher* discloses the plurality of templates recited in Claim 46. Applicants respectfully disagree. First, the librarian described in *Boucher* is configured to provide a pointer to a function that can be called to execute a carrier rate module, not to select a template for a particular carrier such as the rate sheet analyzer module recited in Claim 46. The template is selected so that the template may be used to interpret a rate sheet for the carrier (specifying published freight rates) by a rule generation module. Second, the carrier rate modules described in *Boucher* are modules executed to determine a carrier rate for a specific carrier for shipping a package, not to serve as a template as recited in Claim 46 that is used for interpreting the rate sheet for the carrier. As described in *Boucher*, the carrier rate modules include instructions (i.e., executable code) for rating an item according to business rules and rate data for a carrier. *See* Page 13, lines 27-30. Furthermore, the carrier rate modules include instructions (i.e., executable code) for creating an entry in the registry with information for the corresponding carrier. *See* Page 15, line 28 to Page 16, line 3. Thus, the librarian and carrier rate modules described in *Boucher* are configured to perform very different functions than the rate sheet analyzer and plurality of templates recited in Claim 46.

For at least these reasons, Applicants respectfully submit that *Boucher* fail to teach or suggest each and every feature recited in Claim 46. Accordingly, Applicants respectfully request the Examiner to withdraw the current rejection of Claim 46 under § 102(b).

#### Dependent Claims 47-59

Claims 49-51, 53, and 54 have been rejected as being anticipated by *Boucher*. Claims 47, 52, and 55-59 have been rejected as being unpatentable over *Boucher* in view of *Kulik*. Claim 48 has been rejected as being unpatentable over *Boucher* in view of *Kulik* in further view of *Mattioli*. Claims 47-59 depend from independent Claim 46 and therefore include all the features of Claim 46 plus additional features that further define the invention over the prior art. Accordingly, for at least the reasons set forth above with regard to independent Claim 46 and the

additional features that further define the invention over the prior art, Applicants respectfully submit that these claims are also in condition for allowance. Therefore, Applicants respectfully request the Examiner to withdraw the current rejections of these claims.

Independent Claim 60

Independent Claim 60 has been rejected as being anticipated by *Boucher*. Applicants respectfully submit that *Boucher* fails to teach or suggest each and every feature of Claim 60. For instance, Claim 60 recites the steps of selecting a template from a template storage module, via one or more computer devices executing a rate sheet analyzer module, by matching a first freight carrier associated with the template with a freight carrier indicated in the rate sheet and retrieving the template from the template storage module to interpret the rate sheet, the template storage module storing a plurality of templates wherein each template is adapted to respectively interpret a particular rate sheet. In light of the argument presented above with respect to Claim 46, Applicants respectfully assert that *Boucher* fails to teach or suggest at least these features. Accordingly, Applicants respectfully request the Examiner to withdraw the current rejection of Claim 60 under § 102(b).

Dependent Claims 61-71

Claims 63-66 and 68-70 have been rejected as being anticipated by *Boucher*. Claims 61, 67, and 71 have been rejected as being unpatentable over *Boucher* in view of *Kulik*. Claim 62 has been rejected as being unpatentable over *Boucher* in view of *Kulik* in further view of *Mattioli*. Claims 61-71 depend from independent Claim 60 and therefore include all the features of Claim 60 plus additional features that further define the invention over the prior art. Accordingly, for at least the reasons set forth above with regard to independent Claim 60 and the additional features that further define the invention over the prior art, Applicants respectfully submit that these claims are also in condition for allowance. Therefore, Applicants respectfully request the Examiner to withdraw the current rejections of these claims.

Independent Claim 72

Independent Claim 72 has been rejected as being anticipated by *Boucher*. Applicants respectfully submit that *Boucher* fails to teach or suggest each and every feature of Claim 72. For instance, Claim 72 recites computer-readable program instructions adapted for receiving a specific rate sheet associated with a freight carrier and structured according to one of the plurality of formats, storing a plurality of templates wherein one of the plurality of templates is adapted to interpret the specific rate sheet, selecting the one of the plurality of templates to interpret the specific rate sheet by matching a first freight carrier associated with the one of the plurality of templates with the freight carrier associated with the specific rate sheet. In light of the argument presented above with respect to Claim 46, Applicants respectfully assert that *Boucher* fails to teach or suggest at least these features. Accordingly, Applicants respectfully request the Examiner to withdraw the current rejection of Claim 72 under § 102(b).

Dependent Claims 73-83

Claims 75-77 and 79-81 have been rejected as being anticipated by *Boucher*. Claims 73, 78, 82, and 83 have been rejected as being unpatentable over *Boucher* in view of *Kulik*. Claim 74 has been rejected as being unpatentable over *Boucher* in view of *Kulik* in further view of *Mattioli*. Claims 73-83 depend from independent Claim 72 and therefore include all the features of Claim 72 plus additional features that further define the invention over the prior art. Accordingly, for at least the reasons set forth above with regard to independent Claim 72 and the additional features that further define the invention over the prior art, Applicants respectfully submit that these claims are also in condition for allowance. Therefore, Applicants respectfully request the Examiner to withdraw the current rejections of these claims.

Conclusion

The foregoing is submitted as a full and complete response to the Office Action mailed May 12, 2010. The foregoing remarks and arguments are believed to have placed the present application in condition for allowance, and such action is respectfully requested. The Examiner is encouraged to contact Applicants' undersigned attorney at (404) 881-7640 or e-mail at [chris.haggerty@alston.com](mailto:chris.haggerty@alston.com) to resolve any remaining issues in order to expedite examination of

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the present application.

The patentability of the independent claims has been argued as set forth above and thus Applicants will not take this opportunity to argue the merits of the rejection with regard to each dependent claim. However, Applicants do not concede that the dependent claims are not independently patentable and reserve the right to argue the patentability of the dependent claims at a later date if necessary.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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